

#16 DE
Reconsideration
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DRAFT NOT TO BE ENTERED

Docket No. 56189861-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tad Deffler, et al.
Serial No.: 09/419,749
TITLE: METHOD AND SYSTEM FOR EXTENSIBLE MACRO LANGUAGE
Filing Date: October 16, 1999
Art Unit: 2172
Examiner: Colbert, E.

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO fax number 703-746-7240 on February 4, 2002.

Eunhee Park, Reg. No. 42,976

BOX AF
Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY UNDER 37 C.F.R. §1.116

Dear Sir:

This reply is filed to respond to the Final Office Action dated December 21, 2001. Please reconsider the application in view of the following remarks.

REMARKS

Reconsideration of the application is respectfully requested. In this application claims 1-6 are pending. Out of these 6 claims, claims 1, 3, and 5 are independent claims.

In the Office Action, claims 1-6 were rejected under

[NYC] 371310.1

35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,105,043 ("Francisco et al."). As explained to the Examiner in a previous telephone interview on October 4, 2001, the claims in the present application recite an "extensible macro language."

Francisco et al. that the Examiner cites as allegedly disclosing the elements in the claims, e.g., Col 15, lines 31-67 and col 16, lines 1-17, describes variable substitution. That is, the data input by a user on an HTML input form is substituted with a variable in a macro language file having SQL commands.

Further, Col 15, lines 1-14 of Francisco et al. does not disclose or suggest retrieving a code of instructions associated with the keyword from a registry of keywords as the Examiner suggests. Instead Col 14, lines 1-14 describe retrieving macro language file. This retrieving does not disclose or suggest extending a macro language. No where in Francisco et al., is there a suggestion of disclosure of extending its macro language.

Similarly, the additional prior art made of record, "MVS Programming: Assembler Services Guide, Second Edition, September 1996, Chapter 10. Reporting Symptom Records (SYMRBLD and SYMREC Macros) on pages 10-1 to 10-9", and "Turbo Assembler Version 3.0, User's Guide, Borland, Chapter 14, Using Macros, pages 197-212" do not suggest or disclose, alone or in combination, a method and apparatus for extensible macro language. Although these references describe programming macros, the programming is done with commands fixedly provided by the macro languages. They do not suggest or disclose extending a macro command to include commands "initially unknown to the macro language."

The criterion for determination of obviousness is whether the prior art would have suggested to one of ordinary skill in the art that the claimed invention should be carried out and would have a reasonable likelihood of success. The mere fact that the prior art may be modified in the manner suggested in the Office Action does not make the modification obvious unless the prior art suggested the desirability of the modification. Francisco et al., alone or in combination with any other prior art made of record, fails to suggest any motivation for, or desirability of, the changes espoused in the Office Action. Accordingly, it is submitted that the claims in the present application are not obvious over Francisco et al.

In view of the foregoing explanation, the claims are believed to be patentable, and a favorable Office Action is hereby earnestly solicited.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. If a telephone interview would be of assistance in advancing prosecution of the subject application, the Examiner is requested to telephone the undersigned attorney at the number provided below.

Respectfully submitted,

Date: February 4, 2002

By: _____
Eunhee Park
Registration No. 42,976
Baker & McKenzie
805 Third Avenue
New York, NY 10022
Telephone (212) 751-5700
Facsimile (212) 759-9133

[NYC] 371310.1

** TX STATUS REPORT **

AS OF FEB 04 2002 17:47 PAGE 01

BAKER MCKENZIE

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BAKER & MCKENZIE
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MESSAGE**RE: U.S. Patent application no. 09/419,749**

Dear Examiner Colbert,

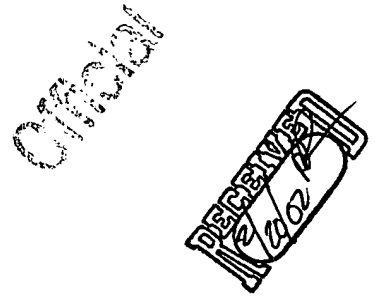
Please see the attached draft response to the office action.

Regards,

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BAKER & MCKENZIE
Attorneys at Law

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MESSAGE

RE: US Patent Application No. 09/419,749

Dear Examiner Colbert,

Attached is a copy of a draft response that I faxed on February 4, 2002. Please call after you receive this fax. Thank you.

Regards,

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